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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,524	07/29/2008	Xin Yao	4202-03000	2772

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EXAMINER
ZONG, RUOLEI

ART UNIT	PAPER NUMBER
2441	

MAIL DATE	DELIVERY MODE
02/24/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action *Before the Filing of an Appeal Brief*	Application No.	Applicant(s)
	10/593,524	YAO, XIN
	Examiner	Art Unit
	RUOLEI ZONG	2441

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>10 February 2010</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

      Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

      NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☒ Applicant's reply has overcome the following rejection(s): <u>See Continuation Sheet</u>.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: *1,4-5,8,11,13,14, 21-24,and 28*.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Wing F. Chan/
Supervisory Patent Examiner, Art Unit 2441

/RUOLEI ZONG/
Examiner, Art Unit 2441

Continuation of 5. Applicant's reply has overcome the following rejection(s): 112, 2nd rejection to claims 8 and 21, and 101 rejection to claims 24 and 28.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments filed on 2/10/2010 in response to the final office action have been fully considered and reviewed, but they are not persuasive.

Regarding applicant's remark "Chen's FA cannot be the claimed SP because Chen "s FA does not process a message that has a destination address that is different than an address for which the message is intended (e.g. different than the FA's address). Thus, Chen fails to teach a SP that processes the message if the destination address of the message is different than a SP address and an address for which the message is intended. As such, Chen fails to teach at least one element of independent claims 1 and 11, and consequently fails to anticipate claims 1, 4, 11, 13, 22, and 23" on Page 9, the examiner respectfully disagrees. Chen discloses "As each packet destined for MN 28 arrives at HA 26, the HA looks up the CNID and CN address mapping table to find the CNID corresponding to the source address on the packet; the HA then replaces the original source address with the HA address (e.g.SP address), and the destination address (e.g. destination address) with the COA (e.g. address for which the message is intended) of MN 28. The HA 26 adds a CNID field 40 and an MN ID field 42, adjusts the packet checksum, and dispatches the packet" in Para. 0032, therefore, Chen's HA performs proxy functionality by replacing source address and destination address of a packet. Therefore Chen's disclosure clearly reads on the claimed limitation.

Regarding applicant's remark "Akman, FIG. 1A (modified). As shown above, Akman's first embodiment combines the router with the MEGACO NAT functionality, and thus lacks a router located between the terminal (MG) and the SP (Firewall / NAT Router). 1 As such, Akman's first embodiment fails to teach a router located between the terminal and the SP. Akman's second embodiment also fails to teach the above limitations because the SP (MEGACO NAT) in Akman's second embodiment is not located between the terminal (MG) and the server (MGC)" on Page 11, the examiner respectfully disagrees. As stated in the Final Office Action, the rejection to original claims 26-27 rely on Akman's second embodiment as disclosed in Fig. 1B. As illustrated by Fig. 1B, the SP (e.g. MEGACO NAT) is clearly located between a terminal (e.g. MG) and a server (e.g. MGC). Akman also discloses "In FIG. 1B an additional server 170 (e.g. the SP) has been operatively connected to firewall/NAT router 160. In this implementation firewall/NAT router 160 is not enhanced. Rather, firewall/NAT router 160 offloads all MEGACO messages entering and leaving IP network 120 to MEGACO NAT server 170 for inspection and translation of IP addresses within MEGACO messages" in Column 4, Line 1-13 and "This time when the firewall 160 receives a MEGACO Service Change message 210 it is automatically off-loaded to a MEGACO/NAT server 170. The MEGACO/NAT server 170 then inspects and translates any IP addresses contained in the message and sends the message back to the firewall 160 with translated IP addresses as represented by message pair 215, 225. The firewall 160 then routes the messages accordingly" in Column 4, Line 42-60. Therefore the path of the messages travelling according to Akman's disclosure is: terminal --> Firewall/Router 160 (e.g. router) --> MEGACO NAT 170 (e.g. SP) --> Firewall/Router 160 --> MGC (e.g. server), where --> indicates forwarding messages . Therefore Akman discloses a SP located between a terminal and a server and a router located between the terminal and the SP.